

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION NO.5096 of 2006

DATED: 16.03.2006

Between:

Patur Udaya Bhaskar, S/o.Late Rajagopal Rao Petitioner

AND

The District Collector,

Nellore, Nellore District

And two others Respondents

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

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WRIT PETITION NO. 5096 of 2006

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ORDER:

Apprehending that the respondents are threatening to dispossess the petitioner from his own land of an extent of Ac.2.07 cents in survey No.151/1 and 151/2 situated at Patur village, Kovur Mandal, Nellore District as illegal and arbitrary, petitioner filed the present writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents and perused the material on record.

Learned counsel for the petitioner submitted that the petitioner is the owner of an extent of Ac.1.95 cents in Survey No.151/1 and Ac.0.12 cents in Survey No.151/2 totaling to Ac.2.07 cents and a pattadar pass book bearing Patta No.447 was also issued in the name of petitioner by the Mandal Revenue Officer, Kovur (3rd respondent herein). But without following due procedure prescribed under law, respondents are threatening to dispossess the petitioner. It is stated that the said land is not an assigned land and it is not a Government land and the petitioner is not encroached any government land.

In view of the same, I am not inclined to express any opinion on the merits of the case, however, respondents are directed not to dispossess the petitioner without following the procedure prescribed under law.

Writ petition is accordingly disposed of directing the respondents not to dispossess the petitioner without following due procedure prescribed under law. No order as to costs.

V. ESWARAIAH, J.

Dated: 16-03-2006

Note:

Issue C.C.within three days.

(B/O)

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